

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 04, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CC, on behalf of ARG, a minor child,

Plaintiff,

v.

KILOLO KIJAKAZI, Acting
Commissioner of Social Security,

Defendant.

No. 1:21-cv-03073-SMJ

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND**

Before the Court, without oral argument, is the parties' Stipulated Motion for Remand, ECF No. 17. "The parties, acting through their respective counsel, hereby stipulate that the Court should reverse and remand this case under sentence four of 42 U.S.C. § 405(g) for further administrative proceedings regarding Plaintiff's application for childhood Supplemental Security Income under Title XVI of the Social Security Act." *Id.* at 1.

Having reviewed the motion and the file in this matter, the Court is fully informed and grants the motion. "Under sentence four, a district court may remand in conjunction with a judgment affirming, modifying, or reversing the Secretary's decision." *Melkonyan v. Sullivan*, 501 U.S. 89, 99–100 (1991). Given the parties' stipulation, the Court reverses and remands the matter for further administrative

proceedings before an Administrative Law Judge (ALJ) and a new decision regarding Plaintiff's applications for benefits under the Social Security Act.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 17**, is **GRANTED**.

2. The above-captioned case shall be **REVERSED** and **REMANDED** for further administrative proceedings, including a *de novo* hearing under sentence four of 42 U.S.C. § 405(g). *See Melkonyan*, 501 U.S. 89.

3. On remand, the Appeals Council will remand the case to an administrative law judge ("ALJ"), who shall offer Plaintiff an opportunity for a new hearing, further develop the administrative record, and issue a new decision. The ALJ shall also:

A. Obtain additional consultive examination reports from qualified pediatricians or specialists in an appropriate field of medicine, in order to further evaluate the child's impairments;

B. Obtain medical expert testimony from a qualified pediatrician or specialist in an appropriate field of medicine; and

